



RCE # IFW

PATENT
ATTORNEY DOCKET NO.: 046124-5091

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Takayuki SUZUKI et al.) Confirmation No.: 2049
)
Application No.: 09/977,287) Group Art Unit: 2878
)
Filed: October 16, 2001) Examiner: Stephen K. Yam
)
For: OPTICAL RECEIVER APPARATUS AND)
HOLDING APPARATUS AND)
ARRANGING METHOD THEREOF)

Mail Stop RCE
Commissioner of Patents
Arlington, VA 22202-3514

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

1. Submission required under 37 C.F.R. § 1.114

- ☐ Previously submitted:
- ☐ Please consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____. (Any unentered amendment(s) referred to above will be entered).
 - ☐ Please consider the arguments in the Appeal Brief or Reply Brief previously filed on _____.
 - ☐ Other _____.
- ☒ Enclosed:
- ☒ Preliminary Amendment
 - ☐ Submission of Supplemental Declaration
 - ☐ Information Disclosure Statement Under 37 C.F.R. § 1.97(b)
 - ☐ PTO-Form 1449 and one (1) reference
 - ☐ Other _____.

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01 FC:1801 770.00 DA
02 FC:1251 110.00 DA

2. Miscellaneous

- ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- ☐ Other _____

3. Fees Calculation

(a) RCE Fee required under 37 C.F.R. § 1.17(e)

- ☒ \$770.00
- ☐ \$385.00 (for small entity)

(b) Extension of Time

- ☐ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicant has inadvertently overlooked the need for a petition and fee for extension of time.
- ☒ Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

| <u>Total Months Requested</u> | <u>Fee for Extension</u> | <u>[Fee for Small Entity]</u> |
|---|------------------------------|-----------------------------------|
| <input checked="" type="checkbox"/> one month | \$ 110.00 | \$ 55.00 |
| <input type="checkbox"/> two months | \$ 420.00 | \$210.00 |
| <input type="checkbox"/> three months | \$ 950.00 | \$475.00 |
| <input type="checkbox"/> four months | \$1,480.00 | \$740.00 |

Extension of time fee due with this request: **\$ 110.00.**

If an additional extension of time is required, please consider this a Petition therefore.

- ☐ An extension for ____ months has already been secured and the fee paid therefore of \$_____ is deducted from the total fee due for the total months of extension now requested.

(c) Additional Claims

| CLAIMS AS AMENDED | | | | | | |
|--|---|-------|--------------------------------|------------------|---------------|------------|
| | Claims Remaining After Amendment | | Highest No. Previously Paid | Present Extra | at Rate of | Total Fees |
| Total Claims (37 C.F.R. §1.16(c)) | 12 | minus | 20 | 0 | x \$18 each = | + \$0.00 |
| Independent Claims (37 C.F.R. §1.16(b)) | 1 | minus | 3 | 0 | x \$86 each = | + \$0.00 |
| <input type="checkbox"/> First presentation of Multiple dependent claim(s) | | | | | \$290.00 | + \$0.00 |
| SUB-TOTAL = | | | | | | \$0.00 |
| Reduction by ½ for filing by a small entity | | | | | | - \$0.00 |
| TOTAL FEE = | | | | | | \$0.00 |

The total fee for this submission: **\$880.00**

4. Fee Payment

- ☒ The Commissioner is hereby authorized to charge **\$880.00** (representing the RCE filing fee of \$770.00 and one-month extension of time fee of \$110.00) to our Deposit Account No. 50-0310.

5. Additional papers enclosed:

- ☐ Declaration of Biological Deposit
- ☐ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP



John G. Smith
Registration No. 33,818

Dated: July 30, 2004

CUSTOMER NO. 009629

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Commissioner of Patents
2011 South Clark Place
Customer Window, Mail Stop RCE
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

PRELIMINARY AMENDMENT FILED WITH RCE UNDER 37 C.F.R. § 1.114

Concurrently filed herein with a Request for Continued Examination and prior to continued examination, please amend the above-identified patent application as follows.